

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MAURY GREENSTEIN,)
Plaintiff,)
v.) No. 3:13-CV-0309
) (COLLIER/SHIRLEY)
CITY OF GATLINBURG,)
Defendant.)

STUART KAPLOW,)
Plaintiff,)
v.) No. 3:13-CV-0375
) (COLLIER/SHIRLEY)
CITY OF GATLINBURG,)
Defendant.)

ORDER OF CONSOLIDATION

These cases are before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court are two Motions to Consolidate filed by the Plaintiffs in the above-captioned cases. [Doc. 14 in Case No. 3:13-CV-309; Doc. 5 in Case No. 3:13-CV-375]. Plaintiffs move the Court to consolidate these cases because they address alleged government takings involving the same piece of property, known as the Ski Mountain Lodge.

The Court finds, first, that the Defendants have filed a response stating that they do not oppose consolidation of these two cases. [See Doc. 9 in Case No. 3:13-CV-375]. The Court further finds that Rule 42(a) of the Federal Rules permits the Court to consolidate cases that present a common question of law or fact. The Court finds that these cases present common

questions of law and fact, and the Court finds that it is appropriate to consolidate the two actions. Accordingly, the Court finds that the Motions to Consolidate [**Doc. 14 in Case No. 3:13-CV-309; Doc. 5 in Case No. 3:13-CV-375**] are well-taken, and they are **GRANTED**.

It is **ORDERED** that Greenstein v. City of Gatlinburg, Case No. 3:13-CV-309, **SHALL SERVE** as the lead case for purposes of this consolidation, and all future filings shall *only* be made in Greenstein v. City of Gatlinburg, Case No. 3:13-CV-309.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge